

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

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BRIAN RADECKI and  
AMY RADECKI,

Plaintiffs,

20-CV-814

v.

NATIONAL FIRE & MARINE INSURANCE COMPANY,  
IRONSHORE SPECIALTY INSURANCE COMPANY,  
NATIONAL FIRE & MARINE INSURANCE COMPANY  
AS ADMINISTERED BY MEDPRO GROUP COMPANY,  
GUNDERSEN CLINIC PROFESSIONAL LIABILITY  
INSURANCE PLAN, GUNDERSEN CLINIC, LTD.,  
and KATHERINE DAHL.

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**ORDER FOR PRODUCTION OF RECORDS FROM  
LA CRESCENT-HOKAH SCHOOL DISTRICT**

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1. The Court has the authority to order the disclosure of protected educational data and school records pursuant to 34 C.F.R. § 99.31(a)(9)(I) and Minnesota Statutes Section 13.32, subdivision 3(b).
2. The joint motion filed by plaintiffs Brian Radecki and Amy Radecki and defendants Katherine Dahl, Gundersen Clinic, Ltd., National Fire & Marine Insurance Company, Ironshore Specialty Insurance Company, and National Fire & Marine Insurance Company as administered by MedPro Group Company for the release of

educational and school for Lillian Radecki (date of birth 01/23/2002) from La Crescent-Hokah School District is **GRANTED**.

3. The Court orders the disclosure of the educational data and records for Lillian Radecki (date of birth 01/23/2002) from La Crescent-Hokah School District under these terms and conditions only:

- a. **A certified copy of all educational data and school records from La Crescent-Hokah School District for Lillian Radecki from the date of Lillian Radecki's initial enrollment to January 23, 2020 are to be disclosed.** This disclosure includes such records in the possession of La Crescent-Hokah School District for this time period, whether in electronic or hard copy format and shall include, but not be limited to the following: Enrollment information, grade reports, attendance reports, any and all individual educational plans, any and all records, notes, spreadsheets, and correspondence, whether written or recorded, regarding Lillian Radecki authored or made by school counselor Abby Kemp, psychological test results and analysis or any records concerning Lillian Radecki's mental health, records of any and all reports to any government entity of any sort, including reports of abuse, records of conversations and correspondence with Lillian Radecki's medical and behavioral health providers, including emails or notes/records regarding phone calls with defendant Katherine Dahl, and all documents provided to staff

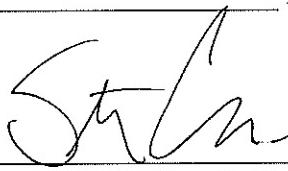
of La Crescent-Hokah School District by or about Lillian Radecki or by her parents, Brian and Amy Radecki about Lillian Radecki that in any way discusses abuse, mental health treatment, mental health issues, or defendant Katherine Dahl.

- b. Until further order of the Court, these records are disclosed on an "Attorneys Eyes Only" basis. These records may only be disclosed to the following attorneys of record in this matter and their law firms:
  - Attorney William Smoler
  - Attorney Michael Fox and the law firm of Fox & Fox, S.C.
  - Attorneys James Gutglass and Attorney Jason Prekop and the law firm of Gutglass, Erickson, Larson, & Schneider, S.C.
  - Attorneys Patrick Coffey and Jacob Sundelius and Menn Law Firm, Ltd.
  - Attorney Kurt Knuesel and Knuesel Law, attorney for Lillian Radecki.
  - Any attorney that may appear in this matter on behalf of La Crescent- Hokah School District.
- c. The disclosure of these medical and behavioral health records on an "Attorneys Eyes Only" basis includes that attorneys, paralegals, and legal assistants of the respective attorneys and law firms may view

the records, but only to the extent that these individuals are working on this litigation at the time of disclosure. The parties to this litigation are not to be provided a copy of the records at this time.

- d. These educational and school records may be filed with the Court under seal and may be viewed by the Court and its staff as necessary for this matter.
- e. All educational and school records produced pursuant to this order are subject to the "CONFIDENTIALITY AND PROTECTIVE ORDER" signed by Magistrate Stephen L. Crocker in this case, a copy of which is attached.

Dated this 13<sup>th</sup> day of May 2021



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Honorable Stephen L. Crocker